SINGLE BENCH

100/-

(1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.No. 3829 /2006

PETITIONER : Saheb Das Patre,
S/o Shri Santu,
aged about 35 years,
Member Janpad Panchayat,
Ward No. 16, Headquarter- Baghmar,
Tahsil- Lormi,
District- Bilaspur (C.G.).

P.R. No. 3891/06
Presented by Shri K.K. Singh
dated 24/12/06

- Versus-

RESPONDENTS :
1. The State of Chhattisgarh,
Through the Secretary, Panchayat and
Social Welfare Department,
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.)
2. The Director,
Panchayat & Social Welfare,
D.K.S. Bhawan, Raipur (C.G.).
3. The Collector,
Bilaspur (C.G.).
4. The Chief Executive Officer,
Janpad Panchayat Lormi,
District – Bilaspur (C.G.).
5. Shri Narayan Singh Tandon,
S/o Shri Laloo Prasad, age not known,
Caste- Satnami, R/o
Village- Navagaon (Thelka), Janpad
Panchayat, Lormi, Tahsil- Lormi,
District- Bilaspur (C.G.).

RECEIVED-COPY
24/12/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDER OR DIRECTION TO DO JUSTICE IN THE MATTER.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

27

मामला क्रमांक W.P.No.3868/2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	8.8.2006 Shri K.K. Singh, Adv. for the petitioner. Shri N.K. Agarwal, Dy. Adv. General for respondent Nos.1 to 3 on advance copy. Heard. By this petition, the petitioner has challenged the order dated 24.6.2006 (Annexure P-4) whereby the Additional Collector, Bilaspur has held that the 3rd child of the petitioner was born after 26.1.2001, as such, in view of the provisions of Section 36(1)(m) of the Panchayat Raj Adhiniyam, 1995, the petitioner has incurred disqualification to hold the post of office bearer of Gram Panchayat. This order is appealable under Rule 3 of the C.G. Panchayats (Appeal and Revision) Rules, 1995, therefore, alternative & efficacious remedy is available to the petitioner and he ought to have availed the same before filing this petition under Article 226/227 of the Constitution of India. Accordingly, the petition does not lie, same is liable to be dismissed and it is hereby dismissed. Consequently, M.(W.)P. No.2989/06 & I.A. No.7257/06 also stand dismissed. Sd/- L.C. Bhadoo Judge	

Roshan

P.T.O.

14.8.06 14.9.06